

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

DANIEL DAUWALDER,

Plaintiff,

v.

J. ATHERTON, et al.,

Defendants.

Case No.: 1:24-cv-0523 JLT SKO

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DENYING  
PLAINTIFF'S REQUEST FOR INJUNCTIVE  
RELIEF**

(Docs. 20, 27)

Daniel Dauwalder seeks to hold the defendants liable for civil rights violations while housed at the Substance Abuse Treatment Facility of Corcoran State Prison. (*See generally* Doc. 1; *see also* Doc. 11.) Plaintiff filed a motion for a preliminary injunction, asserting that the prison officials are tampering with his mail at the California Correctional Institute in Tehachapi. (Doc. 20.) The magistrate judge found Plaintiff cannot obtain the relief requested, because the action proceeds on his claims under the Eight Amendment related to violations at SATF- Corcoran and does not involve claims related to mail tampering or any prison officials at CCI-Tehachapi. (Doc. 27 at 3-4.) Therefore, the magistrate judge recommended the Court deny the motion for injunctive relief. (*Id.* at 4.)

The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within 14 days. (Doc. 27 at 4.) The Court advised him that the “failure to file any objections within the specified time may result in the waiver of certain rights on

1 appeal.” (*Id.*, citing Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did  
2 not file objections, and the time to do so has passed.

3 According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case.  
4 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations to  
5 be supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 6 1. The Findings and Recommendations issued July 9, 2025 (Doc. 27) are  
7 **ADOPTED** in full.
- 8 2. Plaintiff’s motion for injunctive relief (Doc. 20) is **DENIED**.

9  
10 IT IS SO ORDERED.

11 Dated: **August 3, 2025**

  
UNITED STATES DISTRICT JUDGE